

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
vs.) Case No.: 4:13-cr-58-HEA (SPM)
)
JEFFREY ELLERBECK,)
)
 Defendant.)

FIRST MOTION TO CONTINUE SENTENCING

COMES NOW Defendant, Jeffrey Ellerbeck, by and through counsel, and hereby moves this Court to continue the sentencing currently scheduled for September 23, 2013 for a period of thirty (30) days. In support of this motion, Defendant states as follows:

1. Defendant entered a change of plea on June 24, 2013.
2. Counsel has been inundated with sentencings along with the accompanying sentencing memoranda this past month including: United States v. Jeffrey Bainter, cause number 4:12-cr-353 JCH, United States v. Martin Bachert, cause number 4:12-cr-444 RWS, United States v. Soukeye Fox, cause number 4:12-cr-241 AGF and United States v. Aaron Payne, cause number 2:11-cr-4037 FJG.
3. Counsel also prepared the matter of United States v. Byron Glenn, cause number 1:13-cr-8 SNLJ for trial to have that case plea immediately prior to trial and is currently preparing for trial in United States v. DeMario Malone, cause number 3:12-cr-30330 DRH.
4. These obligations and others, in addition to counsel's regular routine of court appearances and jail visits, left counsel insufficient time to prepare adequately for Defendant

Ellerbeck's September 23, 2013 sentencing.

5. For these reasons, Defendant files the instant motion.

6. Defendant, through counsel, has discussed this matter with assistant United States attorney Stephen Casey. Mr. Casey has no objection to Defendant's request.

WHEREFORE, Defendant respectfully requests this Honorable Court continue the sentencing currently scheduled for September 23, 2013 for a period of thirty (30) days.

Respectfully submitted,

ROSENBLUM, SCHWARTZ, ROGERS & GLASS, PC

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CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2013, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Mr. Stephen Casey, assistant United States attorney.